



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN CONSTRUCTION AND LAND USE**

Application Number: 2108584
Applicant Name: Maureen Oschell/Stu Collins, for AK Media
Address of Proposal: 3023 – 1st Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit for the future installation of an off-premise wall advertising sign. Sign display area will be approximately 300 square feet and have an overall height of forty-five (45) feet above ground level. The display surface will be oriented in a northwesterly direction. The proposed sign is a relocation of sign registration #316.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject property is zoned Downtown Mixed Commercial with a maximum height limit of sixty-five feet (DMC - 65). The site is located on the westerly side of 1st Avenue, south

of the intersection of 1st Avenue and Bay Street, in the Denny Regrade. The site is currently occupied by a six-story mixed use building.

The surrounding neighborhood is also zoned DMC. Developments in the area consists of a variety of single and multi-story commercial and mixed use structures consistent with the zoning designation.

Proposal Description

The applicant proposes to build and maintain one wall advertising sign on the northerly wall of the existing mixed use building. The display surface will be approximately 300 square feet and have an overall height of forty-five (45) feet above grade, located fourteen feet from the edge of the building. The subject building is 0.25 feet from the north property line. The proposal originally was to construct a frame for the wall sign which would overhang on to the neighboring property and to illuminate the sign; the lighting would also overhang onto the neighboring property. Based on concerns raised by the neighbors to the north, the project was redesigned: The display surface will not be externally illuminated and the sign will be affixed directly to the wall with adhesive so that it will not intrude onto the neighboring property to the north.

Public Comments

During the public comment period ended March 20, 2002, the City received six written comments related to potential installation/construction related impacts of the proposed sign on neighboring properties to the north.

ANALYSIS - SEPA

The disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 10, 2002. The information in the checklist, project plans and subsequent placement information, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665.D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states that “[w]here City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation subject to the limitations set forth in subparagraphs D1 through D7 below. Unless otherwise specified in the Policies for Specific Elements of the Environment (SMC Section 25.05.675), denial or mitigation of a project based on adverse environmental impacts shall be permitted only under the following circumstances:”

1. *No City code or regulation has been adopted for the purpose of mitigating the environmental impact in question; or*
2. *The applicable City code or regulation has been judicially invalidated; or*
3. *The project site presents unusual circumstances such as substantially different site size or shape, topography, or inadequate infrastructure which would result in adverse environmental impacts which substantially exceed those anticipated by the applicable City code or zoning; or*
4. *The development proposal presents unusual features, such as unforeseen design, new technology, or a use not identified in the applicable City code, which would result in adverse environmental impacts which substantially exceed those anticipated by the applicable City code or zoning; or*
5. *The project is located near the edge of a zone, and results in substantial problems of transition in scale or use which were not specifically addressed by the applicable City code or zoning; or*
6. *The project is vested to a regulation which no longer reflects the City's policy with respect to the relevant environmental impact because of the adoption of more recent policies, provided that the new policies are in effect prior to the issuance of a DNS or DEIS for the project; or*
7. *The project creates undue impacts based on cumulative effects as provided for in SMC Section 25.05.670.*

The current proposal is regulated by the City's sign code and does not fall within any of the special circumstances listed above.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Due to the short term and minor nature of construction impact associated with the construction of the sign, no mitigation is warranted by SEPA policies.

Long-Term Impacts

Long-term or use-related impacts include increased traffic, noise, and vehicular emissions from the monthly copy posting and routine maintenance visits. Since the site is adjacent to a principal arterial with significant traffic volumes, in an area of commercial zoning and uses, these impacts are anticipated to be minor. Therefore no mitigation is warranted pursuant to SEPA policies.

The Sign Code (SMC 23.55) regulates the location, size, and other characteristics of off-premise signs and provides sufficient mitigation for the following impacts:

Cumulative Impacts

The revised Seattle Sign Ordinance has reduced the number of billboard advertising signs permitted in a given area of the City by modification of the sign dispersion standards. Sign dispersion standards limit the number of signs by requiring a minimum separation between signs and permitting a maximum number of signs in a one-half mile distance. According to SMC 23.55.014.E.1.b.2, the number of advertising or off-premise sign faces is limited; “[t]here shall be a minimum distance of three hundred linear feet (300’) between advertising sign structures on the same side of the street; a maximum of two (2) advertising sign structures within three hundred linear feet (300’) when counting both sides of the street; and, a minimum distance of one hundred radial (100’) between advertising sign. The dispersion requirements and zoning standards were reviewed by the DCLU sign inspector and the proposed sign has been found to be in compliance with the applicable requirements, therefore, no further mitigation pursuant to SEPA is warranted.

Light and Glare

The Sign Code requires that light sources be shielded so that direct light is not visible on adjacent properties (23.55.016) and also limits the intensity of the lighting of off-premise advertising signs, based on the square footage of the proposed sign (23.55.014.E). As the sign will not be illuminated, no mitigation measures are necessary.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- ☒ [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- ☐ [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: March 3, 2003

David Graves, AICP

Contract Land Use Planner

Department of Design, Construction and Land Use

Land Use Division

DG:bg

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